

Marquess, Scott

From: Darrel Plummer <DPlummer@kdheks.gov>
Sent: Friday, August 15, 2014 5:02 PM
To: Marquess, Scott
Cc: Brune, Doug
Subject: FYI: Pretty Prairie
Attachments: Whittemore KGS Report Pretty Prairie nitrate 2014.pdf; Mitchell August 11_2014 letter.pdf

According to Mr. Hoch, he and the city took EPA to district court on this matter in the mid-90's and were successful so he and the city are prepared to enlighten the next generation of state and federal folks on the matter if they need to do so. [My paraphrase, not a direct quote.]

My initial read on the matter is that the city is looking for a three year "stay" on any enforcement action requiring them to install treatment in order to see if a "robust" source water protection program, based on Whittemore's findings, will decrease the nitrate levels in the area. I don't think they are thinking in three years source water protection will decrease nitrate levels below the MCL. At the end of three years they are hoping data will show that the trend will be toward lower nitrate levels rather than toward a continued increase in nitrate levels. They will then have more justification to propose continuing on solely with source water protection efforts in lieu of installing treatment even though they will likely still be in violation of the MCL.

I also attached a copy of John Mitchell's August 11, 2014 letter to the city.

Thanx,

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From: Hoch, Wyatt [<mailto:whoch@foulston.com>]
Sent: Wednesday, August 13, 2014 5:19 PM
To: Darrel Plummer
Subject: Pretty Prairie

Thanks again for visiting with me this afternoon about the Pretty Prairie public water supply nitrate issue.

I've attached to this message an e-copy of the Don Whittemore July 2014 study that I referred to in our conversation. I'll obtain and read the John Mitchell letter to the City, then get back to you.

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